

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

MUSCOGEE (CREEK) NATION,
a federally recognized Indian Tribe,

Plaintiff,

v.

CITY OF TULSA; MONROE NICHOLS IV,
in his official capacity as Mayor of City of
Tulsa; DENNIS LARSEN, in his official
capacity as Chief of Police, Tulsa Police
Department; and JACK BLAIR, in his official
capacity as City Attorney for City of Tulsa,

Defendants.

Case No. 4:23-cv-00490

**THE UNITED STATES' CONTINGENT
MOTION TO WITHDRAW ITS
MOTION TO INTERVENE**

The United States hereby moves to withdraw its Motion to Intervene (ECF No. 39), contingent on the Court granting the Parties' Joint Motion to Enter Order Approving Parties' Joint Settlement Agreement and Dismissing the Litigation. *See* ECF No. 149 ("Joint Motion"); ECF No. 149-1 ("Joint Settlement Agreement").

On November 15, 2023, the Muscogee (Creek) Nation ("Nation") filed a complaint against the City of Tulsa and its Mayor, Chief of Police, and City Attorney, acting in their official capacities (collectively, "City"). ECF No. 2. On May 13, 2024, the United States moved to intervene as a plaintiff. ECF No. 39. The City filed a response in opposition to the United States' Motion to Intervene on May 20, 2024, ECF No. 43, and the United States filed a reply on June 17, 2024. The Nation did not respond to the United States' Motion to Intervene. As of the date of this filing, the Court has not yet ruled on the United States' Motion to Intervene.

The Nation and City have reached a negotiated resolution to settle this litigation. The United States does not object to the Joint Settlement Agreement and also does not object to dismissal of this case upon the Court granting the Joint Motion. Should the Court enter an order approving the Joint Settlement Agreement and dismissing this case consistent with the Joint Motion, the United States withdraws its Motion to Intervene, ECF No. 39. The Nation does not object to the United States' withdrawal of its Motion to Intervene contingent on the Court granting the Joint Motion. The City also does not object to the United States' withdrawal of its Motion to Intervene contingent on the Court granting the Joint Motion.

DATED: June 25, 2025

Respectfully submitted,

ADAM R.F. GUSTAFSON
Acting Assistant Attorney General

/s/ Hillary Hoffman
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CERTIFICATE OF SERVICE

I certify that on June 25, 2025, I electronically filed this document with the Clerk of Court by using the CM/ECF system, which will serve and send a notice of electronic filing to all parties and their counsel of record.

DATED: June 25, 2025

/s/ Hillary Hoffman
HILLARY K. HOFFMAN, Trial Attorney